

ATTORNEY DOCKET NO. BA0390 (NORT10-00259)

U.S. SERIAL NO. 09/374,460

PATENT

**REMARKS**

Claims 1-13, 16-19, 23-44, 47-50, 54-76, 79, 81, 82 and 86-107 are pending in the application.

Claims 23-31, 54-63, 86-102 and 107 are allowed.

Claims 1-7, 10, 11, 13, 16-19, 32-38, 41-44, 47-50, 64-70, 73-76, 79, 81, 82 and 104-106 are rejected.

Claims 1-7, 10, 11, 13, 16-19, 32-38, 41-44, 47-50, 64-70, 73-76, 79, 81, 82 and 104-106 have been canceled, without prejudice.

Claims 8, 9, 39, 40, 71 and 72 are objected to.

Claims 8, 9, 39, 40, 71 and 72 have been amended by rewriting the claims in independent form, as set forth herein.

**I. REJECTION UNDER 35 U.S.C. § 102**

Claims 1-7, 10, 11, 13, 16-19, 32-38, 41, 42, 44, 47-49, 50, 64-70, 73, 74, 76, 79, 80 and 82 were rejected under 35 U.S.C. § 102(e) as being anticipated by Khouri, et al. (US 6,072,806). The rejection is respectfully traversed.

Applicant has canceled, without prejudice, Claims 1-7, 10, 11, 13, 16-19, 32-38, 41, 42, 44, 47-49, 50, 64-70, 73, 74, 76, 79, 80 and 82. Accordingly, the Applicant respectfully requests the Examiner withdraw the § 102(e) rejection of these claims.

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II. REJECTION UNDER 35 U.S.C. § 103

Claims 12, 43, 75 and 104-106 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Khouri, et al. (US 6,072,806). The rejection is respectfully traversed.

Applicant has canceled, without prejudice, Claims 12, 43, 75 and 104-106. Accordingly, the Applicant respectfully requests withdrawal of the § 103(s) rejection of these claims.

III. OBJECTIONS TO CLAIMS 8, 9, 39, 40, 71 AND 72

Claims 8, 9, 39, 40, 71 and 72 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has rewritten Claims 8, 9, 39, 40, 71 and 72 in independent form. Accordingly, these claims are now allowable.

IV. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

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If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at [rmccutcheon@davismunck.com](mailto:rmccutcheon@davismunck.com).

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

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